

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DIKEN MICHELE,

Plaintiff,

v.

OFFICER G. QUELOPANA, et al.,

Defendants.

Civil Action No. 15-6248 (CCC)

MEMORANDUM AND ORDER

Plaintiff Diken Michele has filed a civil rights Complaint pursuant to 42 U.S.C. § 1983, asserting that his constitutional rights have been violated by Defendants. Although the docket still lists Plaintiff's address as being the address for the Union County Jail in Elizabeth, New Jersey, it appears he no longer resides there, since the Court's mailings to him have been returned as undeliverable on two separate occasions, first on November 25, 2015, (ECF No. 9), then on March 10, 2016, (ECF No. 11), because "addressee not at Union County Jail," (ECF No. 9 at 1).

Local Civil Rule 10.1 states that "[c]ounsel and/or unrepresented parties must advise the Court of any change in their or their client's address within seven days of being apprised of such change by filing a notice of said change with the Clerk." L.Civ.R. 10.1. "Failure to file a notice of address change may result in the imposition of sanctions by this Court." *Id.* Failure to comply with Rule 10.1 generally results in the dismissal of the action, which the Third Circuit has upheld as an appropriate exercise of this Court's discretion. *See McLaren v. N.J. Dep't of Educ.*, 462 F. App'x 148, 149 (3d Cir. 2012). Plaintiff appears to have changed his address at least since November 25, 2015, almost four months ago, demonstrating to the Court's satisfaction that he has failed to comply with Rule 10.1.

IT IS therefore on this 18 day of March, 2016,

ORDERED that with thirty (30) days from the date of entry of this Order, Plaintiff shall update the Court with his current address, as an indication that he still intends to prosecute this case; failure to submit such update will result in the dismissal of the action; and it is further

ORDERED that that the Clerk shall serve this Order upon Plaintiff by regular mail.



Claire C. Cecchi, U.S.D.J.